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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,966	08/08/2001	Stefano M. Faccin	017.39655X00	2097

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ARLINGTON, VA 22209

EXAMINER
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NGUYEN, MINH DIEU T

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/923,966

Applicant(s)

FACCIN ET AL.

Examiner

Minh Dieu Nguyen

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/13/01, 02/11/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-16 are pending.

#### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: elements 220 and 250 in Fig. 2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khalil et al. (WO 01/26322) in view of Lewis (6,526,506).

a) As to claims 1 and 9, Khalil discloses a system and method for providing secure communications in a communications network comprising forwarding identifying information (page 3, lines 10-12) and a request for a security association (addressed by Lewis) from a mobile node (Fig. 1, element 12) via a first interface to a first network element (Fig. 1, element 16; Fig. 4a); forwarding the identifying information and the request for a security association from the first network element to a second network element via a second interface (page 3, lines 13-14; Fig. 4b); performing negotiations between the first network element and the second network element (Fig. 25; page 31, lines 5-9) via the second interface to establish a security association (page 13, lines 16-19; lines 30-32; page 14, lines 19-21) between the mobile node and the first network element, the second network element utilizing previously stored security association parameters of the mobile node (page 12, lines 2-7); and upon agreement between the first network element and the second network element with regard to the security association parameters, the first network element forwarding the agreed-upon security association parameters to the mobile node via the first interface (Figs. 4c and 4d).

Khalil does not disclose forwarding a request for a security association from a mobile node to a first network element.

Lewis discloses an encryption scheme and access point for providing two or more levels of encryption to prevent unauthorized access to the network (col. 1, lines 7-

10) comprising forwarding a request for a security association from a mobile node to a first network element (Fig. 11).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of requesting a security association from a mobile node to a first network element in the system of Khalil, as Lewis teaches so as to provide secure communications in a network.

b) As to claims 2 and 10, Khalil discloses performing negotiations between the first network element and the second network element via the second interface includes exchanging parameters for the establishment of the security association (Figs. 24-28).

c) As to claims 3 and 11, Lewis discloses the first interface comprises a wireless interface to forward information between the mobile node and the first network element (col. 1, lines 26-32).

d) As to claims 4 and 12, Khalil discloses the first network element is connected to a first gateway (Fig. 1, element 16).

e) As to claims 5 and 13, Khalil discloses the first gateway comprises a AAA server (Fig. 12, element 1008).

f) As to claims 6 and 14, Khalil discloses the second network element comprises a subscriber database and an authentication center (page 11, lines 17-18).

g) As to claims 7 and 15, Khalil discloses the second network element further comprises a second gateway (Fig. 12, element 1010) connected to the subscriber database and authentication center (Fig. 12, element 1018).

h) As to claims 8 and 16, Khalil discloses the second gateway comprises a AAA server (Fig. 12, element 1018).

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873. The examiner can normally be reached on M-F 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Minh Dieu Nguyen  
Examiner  
Art Unit 2137

mdn  
3/9/05



**ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER**